

THE CALL TO ARMS

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Once upon a time, when the world was young and simple, Registration and the Draft was one of life's minor problems. You registered when you turned eighteen, filled out forms when they arrived, and staved off the day of more intimate contact by filing for student deferment until you graduated, married, grew too old, or developed a psychological and/or physical ailment worthy of IV-F. Some unfortunates, of course, by dint of premature graduation, ill luck, or even choice, experienced that existential facet of the draft called Induction; but even for them, the pain of military service seldom affected more than their physical well-being.

But that simple -- albeit sometimes painful -- world changed, and the Draft took on a new and grisly meaning. Where some could once regard the Army as a welcome respite from the pressure of college, a time to think and straighten out one's life, in the 60's the Army meant Vietnam -- the Draft meant "The War," and for the young draftee, who had only just begun to think about the purpose of life, Induction meant the possibility of death.

The threat of death, of course, was present even in the peacetime draft, but the war in Vietnam added yet another facet to the problem of the young man trying to plot out his life; many young men were no doubt convinced that the United States was defending freedom in Southeast Asia, despite the unrepresentative character of the governments

of South Vietnam, Cambodia, and Thailand. Many others were also convinced that the threat of takeover by the National Liberation Front represented a concerted attack by international Communism despite the fragmented nature of the Communist world, and despite the attempts by the NLF to maintain the independence of North Vietnam, and the struggles of both to remain independent of the Chinese, a people whom Indochinese have despised for centuries. But many others were not convinced, and were upset by the unreliable nature of Administration reports on the war, and by the growing suspicion that hints of interest in negotiation by the other side had been met by increased military escalation on ours. And others wondered whether the whole business was worth the destruction of civilian life and food crops by the chemicals that American planes rained daily on Vietnam.

Now with Vietnam and the end of the draft behind us, we face Iran, Afghanistan, and the Middle East with the possibility of war and the resumption of registration.

What should the young Jew's position be on all this? If he is bothered by war, is there a place in Jewish tradition for his opposition? Many Jews assume that it is only the "Friends" who may properly oppose war from a religious position, but necessity has led young Jews to see that there may be a place for opposition to war in Jewish thought as well.

Briefly, Jewish law recognizes two kinds of war: MILCHEMET HOVAH (obligatory war) and MILCHEMET R'SHUT (optional war). Both are discussed in the Bible¹ and in the code of Maimonides² (12th century) in reference to wars waged by inhabitants of the land of Israel. War is HOVAH, obligatory, in defense of the land against attack, or in opposition to descendants of Amalek, the dastardly ruler who attacked the rearguard of the Israelites as they were fleeing from Egypt into the wilderness.³ Amalek is the symbol of a single enemy of the Jewish people in a generation; most Jews were willing to consider Hitler as Amalek, and even the most peace-loving usually consider a fight against him a MILCHEMET HOVAH, an obligatory struggle.

The optional war -- MILCHEMET R'SHUT -- is permitted to enlarge the borders of Israel or to enhance the reputation of Israel's king. But there are severe restrictions: before attacking, one must offer peaceful terms to the city one is besieging (in our terms, offer to negotiate), and if one is refused, adult males may be killed, but women and minors must be spared, along with the food supply.⁴ Furthermore, any Israelite who does not wish to fight, whether out of fear, a desire to tend his house or fields, or unwillingness to leave his new wife -- is permitted to return home.⁵

Did any of this weigh on our situation in Vietnam? First, it is important to note that the two kinds of war refer only to the land of Israel -- there is no regulation for a Jew's participation

in war waged by another country in which he lives. Nonetheless, if we put the war in Vietnam in the category of "optional war," we may compare the actions of the United States to those required by Jewish law: did we try to negotiate, did we spare civilians and food crops, did we offer sufficient exemption to objecting individuals? The answers are primarily negative, and on the grounds of the traditional laws of "optional war," we may criticize American behavior as contrary to the Jewish view of what is proper conduct in an "optional war."

That is fine from an academic standpoint -- but we cannot have our law and eat it too. To argue on the basis of "optional" or "obligatory" wars is fully proper only for a Jew who leads his whole life totally on the basis of Orthodox Jewish law -- and few American Jews do. We may be guided in our moral analysis of the war by the restrictions in Maimonides' Codes, but to request conscientious objection on those grounds would be a bit hypocritical -- Maimonides has guided the conscience of few liberal Jews. More compelling for us is likely to be certain tendencies in Jewish tradition -- the high regard for life, the imperative for peace, the resistance to violence even in self-defense that has characterized Jewish life in the Diaspora. All the commandments in the Torah are summarized by the injunction to "choose life," the passage we read on Yom Kippur morning; K'DDUSHAT HA-CHAYYIM, the sanctification of

life,⁶ is a more pervasive imperative in Jewish life even than the imperatives for peace; it is said in the Mishna, that originally God created only one man to teach us that if one kills one man, it is as though he had destroyed the whole world.⁷

To seek peace is seen in Jewish tradition as a personal command; he who seeks peace in his own household is as great as one who makes peace in all Israel.⁸ The commandment forbidding murder is phrased in the singular: You, as an individual, shall not kill⁹ -- never mind what other people do. But since war is an option in the Bible and in Jewish law, it is the individual who must judge for himself: when may I kill -- when must I kill -- and when must I refrain, and seek peace instead? For while seeking peace is one command that impels us, to root out evil is another. Most Jews felt that in the case of Nazi Germany, the command to root out evil was more impelling than the command to seek peace.

Conscience compels us each in different ways in different times -- we are divided! For some, military service to one's country shared with others one's own age may be a clearer duty than a vague unease about killing. Others may not wish to seek CO status because they are not absolute pacifists even though lawyers advise that "selective conscientious objectors" -- objectors to particular wars -- may win that status from some draft boards. Still others feel uneasy about

exemptions granted them by a "II-S" classification, or by the chance of the lottery.

Nonetheless, should registration and the draft be reinstituted, we should recognize that whatever one's personal decision about the draft, the world is no longer a place in which one can take war and killing and military service for granted. One must decide where he stands, listening to others' views, but finally standing apart from others, facing ultimately one's own tradition and one's own conscience. One must be true to himself. The world is no longer young and simple!

FOOTNOTES

1

Torah, Deuteronomy 20:1-20.

2

Moses Maimonides, Mishneh Torah (New York: Hebrew Publishing Company, 1967), pp. 324-325.

3

Torah, Exodus 17:8-16, and Deuteronomy 25:17-19.

4

Ibid., Deuteronomy 20:14.

5

Ibid., Deuteronomy 20:8.

6

Ibid., Deuteronomy 30:19.

7

Herbert Danby, Sanhedrin 4:5, The Mishnah (London: Oxford University Press, 1954), p. 388.

8

Judah Golden, The Fathers According to Rabbi Nathan (New Haven: Yale Press, 1955), 28:3.

9

Torah, Exodus 20:13.

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